

WPA 10418 of 2026

**Kalipada Maiti
Vs.
The State of West Bengal & Ors.**

Mr. Subhankar Bose

...for the petitioner

Mr. Raj Kr. Sain

...for the respondent nos. 5 & 6

1. On hearing learned advocates representing petitioner and respondent nos. 5 and 6 it appears that grievance of the petitioner is inaction on the part of the police authority in taking steps based on the complaint lodged by the petitioner. In other words, petitioner has prayed for direction upon the concerned police authorities to register an FIR.
2. There is an alternative remedy available to the petitioner under Section 175(3) of Bharatiya Nagarik Suraksha Sanhita, 2023 by approaching the jurisdictional Magistrate. In this regard reliance is placed on the judgment of Hon'ble Supreme Court reported in **(2007) 6 SCC 171 (Aleque Padamsee and Others vs. Union of India & Others)**.

3. Hence, writ petition is not entertained and same is dismissed.
4. However, this order shall not preclude the petitioner to approach the jurisdictional Magistrate in pursuit of remedy.
5. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)